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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/718,504	11/19/2003	Gordon H. Epstein	021872-001010US	8230
20350 7590 03/05/2009 TOWNSEND AND TOWNSEND AND CREW, LLP TWO EMBARCADERO CENTER EIGHTH FLOOR SAN FRANCISCO, CA 94111-3834				
EXAMINER				
RYCKMAN, MELISSA K				
ART UNIT		PAPER NUMBER		
3773				
MAIL DATE		DELIVERY MODE		
03/05/2009		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Interview Summary	Application No. 10/718,504		Applicant(s) EPSTEIN ET AL.	
	Examiner MELISSA RYCKMAN		Art Unit 3773	

All participants (applicant, applicant's representative, PTO personnel):

(1) MELISSA RYCKMAN.

(3) Zia Yassinzadeh.

(2) James Heslin.

(4) ____.

Date of Interview: 26 February 2009.

Type: a) ☐ Telephonic b) ☐ Video Conference
c) ☒ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☒ Yes e) ☐ No.

If Yes, brief description: demonstrated a similar apparatus and its use.

Claim(s) discussed: 19.

Identification of prior art discussed: Latson and Khairkahan.

Agreement with respect to the claims f) ☒ was reached. g) ☐ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: The examiner suggested adding limitations defining the location of the cylinder in the tissue tract, and including elongate cylindrical shape. The applicant argued Latson needs a void larger than the insertion tract for both expansible members. The examiner suggested using the end of paragraph 79 in the specification when amending the cylindrical member.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

/Melissa Ryckman/ Examiner, Art Unit 3773	/(Jackie) Tan-Uyen T. Ho/ Supervisory Patent Examiner, Art Unit 3773
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